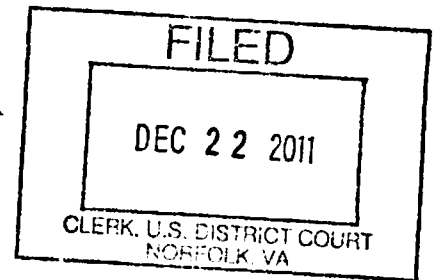


**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division**



FRANCYNE J. COOPER,

Plaintiff,

v.

ACTION NO. 4:10cv110

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.

**ORDER**

Plaintiff brought this action under 42 U.S.C. § 405(g) and 42 U.S.C. § 1383(c)(3), seeking judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's applications for disability insurance benefits and Supplemental Security Income pursuant to 216(i) and 223 of the Social Security Act.

This matter was referred to a United States Magistrate Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and (C) and Rule 72(b) of the Federal Rules of Civil Procedure, as well as Rule 72 of the Rules of the United States District Court for the Eastern District of Virginia, for consideration of a Motion for Summary Judgment filed by Plaintiff and a Cross-Motion for Summary Judgment filed by the Commissioner of Social Security.

The Report and Recommendation of Magistrate Judge Tommy E. Miller was filed on November 18, 2011, recommending that (1) Plaintiff's Motion for Summary Judgment be denied; (2) Commissioner's Cross-Motion for Summary Judgment be granted; (3) final decision of the Commissioner be affirmed; and (4) Judgment be entered in favor of the Commissioner.

By copy of the Report, each party was advised of the right to file written objections to the findings and recommendations made by the Magistrate Judge. The Court received Plaintiff's objections to the Magistrate Judge's Report and Recommendation, and has considered the objections carefully.

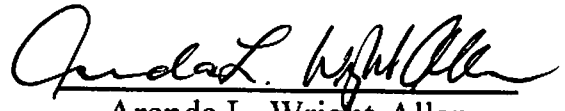
Plaintiff contends that the Magistrate Judge committed an error when it affirmed the Administrative Law Judge's ("ALJ") decision to deny benefits. Plaintiff argues that the ALJ failed to consider Ms. Cooper's work record. After reviewing the record *de novo*, the record shows that the ALJ considered Plaintiff's work history. Furthermore, the Magistrate Judge explained thoroughly why Plaintiff's work history "could not reconcile the discrepancies between her complaints and the results of the multiple medical examinations." Doc. 19.

Therefore, the Court **ADOPTS** the findings and recommendations set forth in Magistrate Judge Miller's Report and Recommendation. 28 U.S.C. § 636(b)(1)(C); see Fed. R. Civ. P. 72(b). The Court **DENIES** Plaintiff's Motion for Summary Judgment (ECF No. 14), **GRANTS** Defendant's Cross-Motion for Summary Judgment (ECF No. 16), the decision of the Commissioner is affirmed, and judgment entered in favor of the Commissioner.

The Clerk is **DIRECTED** to send a copy of this Order to Plaintiff, to all counsel of record, and to Magistrate Judge Stillman.

**IT IS SO ORDERED.**

December 21<sup>st</sup>, 2011  
Norfolk, Virginia

  
Arenda L. Wright-Allen  
United States District Judge